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Date: January 12, 2007

Wilburn Liddell, Jr.

PATENT  
401720-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: CHIH-WEI HUANG

Serial No.: 09/970,736

Filed: October 3, 2001

Title: System And Method For Measuring  
Performance Of Trading Instruments Within A  
Market

Art Unit: 3628

Examiner: Timothy M. Harbeck

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF APPEALS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the Decision of the Primary Examiner mailed July 17, 2006, finally rejecting Claims 1-19.

01/17/2007 SSITHIB1 00000014 500639 09970736  
02 FC:2401 250.00 DA

Serial No. 09/970,736  
January 12, 2007  
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The item(s) checked below are appropriate:

1. ☒ A petition and fee for extension of term for reply to the final rejection is attached.

2. ☒ Appeal fee  
    ☐ other than a small entity  
    ☒ small entity

3. Payment

☒ The Director is authorized to charge **\$760.00** (\$250.00) for Notice of Appeal filing fee and (\$510.00) for the three-month extension of time pursuant to 37 CFR § 1.17(a)(3) and any amount due, or credit any overpayment, to Deposit Account No. **50-0639**.

A duplicate copy of this paper is enclosed.

Date: January 12, 2007

Respectfully submitted,



\_\_\_\_\_  
Brian M. Berliner  
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